

# Zoning & Subdivision Report

Planning & Development - 417/864-1611  
840 Boonville - Springfield, Missouri 65801

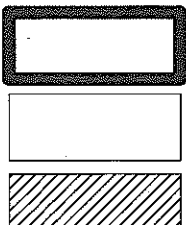
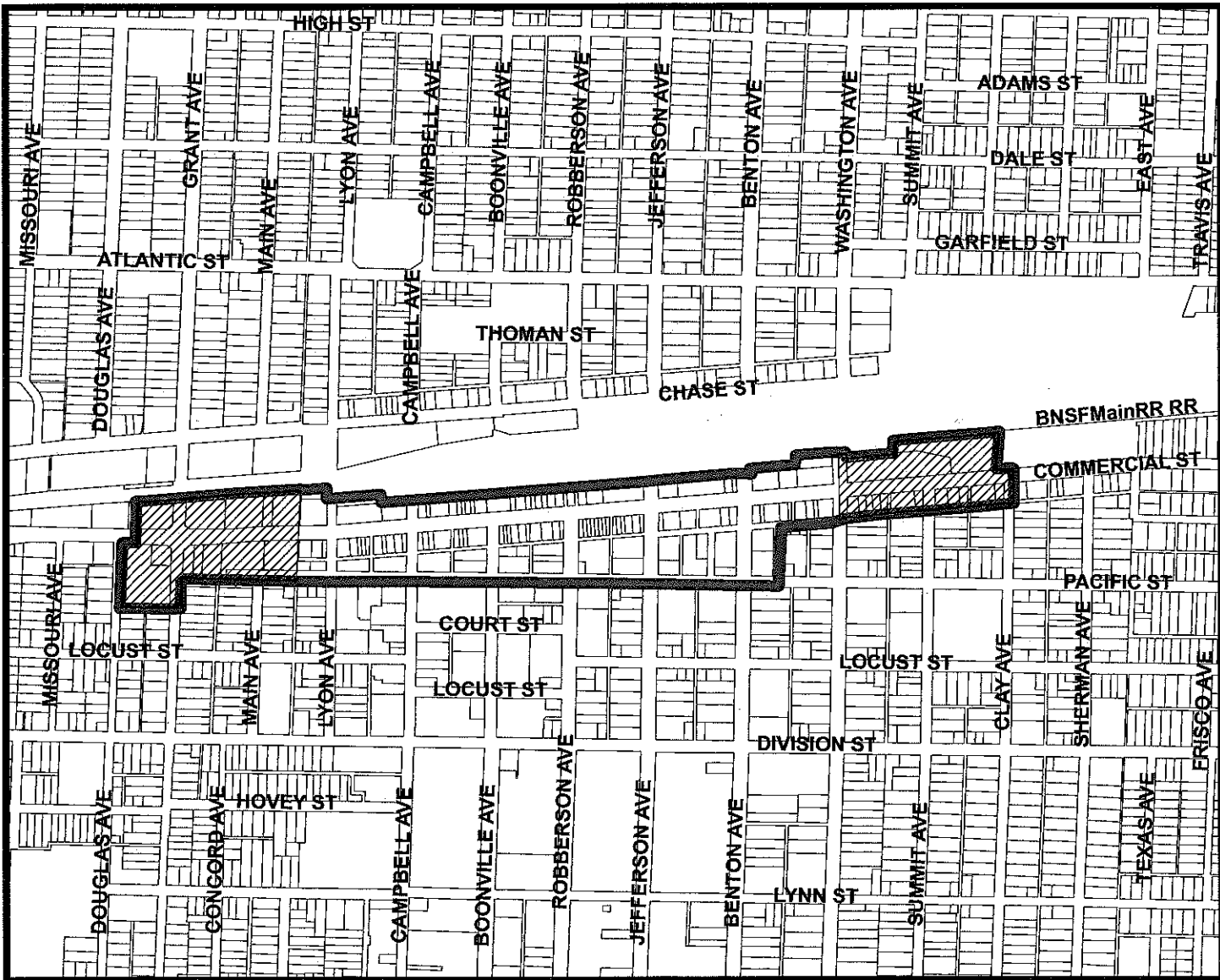
## **Zoning Case Z-06-2010**

Location: Commercial Street between Grant and Clay Avenues

Current Zoning: CC, Center City,  
HC, Highway Commercial and HM, Heavy Manufacturing

Proposed Zoning: COM, Commercial Street District

### LOCATION SKETCH



- Area of Proposal
- Proposed Zone 1
- Proposed Zone 2



1 inch = 900 feet

Affected Agency Notified: Yes  
Emergency Required: No  
Budget Adjust. Required: No  
Board Rec. Required: Yes  
Public Hearing:  
Sponsor:  
Date: January 20, 2010

## EXPLANATION TO COUNCIL BILL NO. 2010 -

ORIGINATING DEPARTMENT: Planning and Development

**PURPOSE:** To rezone approximately 53.5 acres of land generally bounded by BNSF Railway on the north, just west of Grant Avenue on the west, Pacific, Ozark and Commercial Street on the south, and North Clay Avenue on the east from HM, Heavy Manufacturing, HC, Highway Commercial, and CC, Center City, to COM, Commercial Street Zoning District; and to amend Section 2-100 of the Zoning Ordinance to add a definition for layer.

### ZONING CASE NUMBER Z-06-2010

#### BACKGROUND:

On May 4, 2009 the City Council adopted a resolution establishing a 365 day administrative delay in new construction activity to determine how new construction should be integrated within the Commercial Street area. The Council also named a 16 member task force, to study the issue, hear testimony, and make recommendations to the City Council. The task force held 13 public meetings to hear presentations regarding programs, issues, and financial tools available to the area. The task force also conducted a public forum. At the conclusion of all presentations the task force made eight recommendations for City Council consideration. All eight of the recommendations were accepted by the City Council on January 11, 2010, and the Council further directed staff to initiate a new zoning district. Six of the eight recommendations discussed broad support for *The Commercial Street Strategy for Success*, which had previously been accepted by the City Council in 2005. The task force also recognized that Commercial Street was a unique but fragile area that needed additional and special protection for revitalization to occur. To implement the "Strategies" uses and restrictions the task force recommended the creation of a special zoning district, the COM-Commercial Street District. The proposed district boundaries would mirror the boundaries of the Tax Increment Financing and Redevelopment Boundaries. The existing Commercial Street Historic District would remain as an overlay district. The proposed district is further divided into two zones one (1) and (2). Zone 1 includes the historic district and includes design guidelines that would integrate new construction with existing contributing buildings in the historical district. The design guidelines proposed in the ordinance would not be required in new construction in Zone 2.

The first floor of buildings in the district would be divided into layers. The front layer would be designated for more active uses that would support the redevelopment strategy. The rear layer could have less intense uses, as could the remaining stories of the building. Any redevelopment project in excess of 10,000 square feet, building projects in excess of three (3) stories and those

that might have an impact on existing uses would be required to go through the Conditional Use Permit process.

It is proposed that Section 2-1100 of the Zoning Ordinance be amended to add a definition for layer, defined as follows:

**Layer:** a range of depth of a lot within which certain elements are permitted.

#### RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on February 18, 2010 and recommended, by a vote of to , of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends **approval** of the proposed zoning (see the attached Zoning and Subdivision Report).

#### FINDINGS:

1. The proposed zoning establishes a process for integrating new construction within the historical district.
2. The proposed zoning district support uses that are supportive of the uses and restrictions outlined in *The Commercial Street Strategy for Success* and Comprehensive Development Plan.
3. The proposed district establishes a Conditional Use process for large projects and structures, and uses that might impact other businesses and the ambience of the Commercial Street area.

Submitted by:

Approved by:

Michael MacPHERSON

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Planning and Development

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City Manager

EXHIBIT A  
LEGAL DESCRIPTION  
ZONING CASE Z-06-2010

ZONE 1 DESCRIPTION

A PART OF SECTIONS 11 AND 12, IN TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 2 IN BLOCK 33 OF THE PLAT OF NORTH SPRINGFIELD, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI; BEING ON THE SOUTH RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN-SANTA FE RAILROAD; THENCE NORTHEASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, TO THE POINT OF INTERSECTION WITH THE CENTERLINE OF WASHINGTON AVENUE; THENCE SOUTH, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION WITH A LINE DRAWN FROM THE NORTHWEST CORNER OF LOT 21 OF BLOCK 26 IN SAID PLAT OF NORTH SPRINGFIELD TO THE NORTHEAST CORNER OF LOT 32 OF BLOCK 27 OF SAID PLAT OF NORTH SPRINGFIELD, THENCE SOUTHWEST, ALONG SAID LINE, TO SAID NORTHEAST CORNER OF LOT 32, BEING ON THE SOUTH RIGHT-OF-WAY LINE OF A 35 FEET WIDE ALLEY (NOW KNOWN AS BLAINE STREET); THENCE SOUTHWEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, TO A POINT 20 FEET WEST OF THE NORTHWEST CORNER OF LOT 56 OF SAID BLOCK 27; THENCE SOUTH, ALONG A LINE 20 FEET WEST OF, AND PARALLEL WITH, THE WEST LINE OF LOTS 45 THROUGH 56 OF SAID BLOCK 27, AND ALONG ITS SOUTHERLY EXTENSION, TO THE SOUTH RIGHT-OF-WAY LINE OF PACIFIC STREET; THENCE WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, TO THE WEST LINE OF SAID PLAT OF NORTH SPRINGFIELD; THENCE NORTH, ALONG SAID WEST LINE, TO THE POINT OF BEGINNING.  
CONTAINING APPROXIMATELY 34 ACRES.

## ZONE 2 DESCRIPTION

A PART OF SECTIONS 11 AND 12, IN TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 5 OF DELANEY, GOFF'S, AND BOUSLOG'S ADDITION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, SAID CORNER BEING AT THE SOUTHEAST CORNER OF THE INTERSECTION OF DOUGLAS AVENUE AND COMMERCIAL STREET; THENCE EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF COMMERCIAL STREET, TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST 5.00 FEET OF LOT 3 OF COMMERCIAL STREET ADDITION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE NORTH ALONG SAID WEST LINE, TO THE NORTH LINE OF SAID LOT 3, BEING ON THE SOUTH RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN-SANTA FE RAILROAD; THENCE NORTHEASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THE RAILROAD, TO THE WEST LINE OF BLOCK 33 OF THE PLAT OF NORTH SPRINGFIELD, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE SOUTH, ALONG SAID WEST LINE, AND ALONG ITS SOUTHERLY EXTENSION, TO THE SOUTH RIGHT-OF-WAY LINE OF PACIFIC STREET; THENCE WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, TO THE NORTHEAST CORNER OF LOT 2 OF JENKINS ADDITION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE CONTINUING WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF A 16 FEET WIDE ALLEY AS SHOWN ON THE FINAL PLAT OF SAID JENKIN'S ADDITION, TO THE NORTHWEST CORNER OF LOT 3 OF SAID JENKIN'S ADDITION, BEING ON THE EAST RIGHT-OF-WAY LINE OF GRANT AVENUE; THENCE SOUTH, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE POINT OF INTERSECTION WITH THE EASTERLY EXTENSION OF THE NORTH LINE OF LOTS 31 AND 32 OF DELANEY, GOFF'S, AND BOUSLOG'S ADDITION; THENCE WEST, ALONG SAID NORTH LINE, TO THE EAST RIGHT-OF-WAY LINE OF DOUGLAS AVENUE; THENCE NORTH, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING.

ALSO; BEGINNING AT THE NORTHWEST CORNER OF LOT 36 OF FRISCO ADDITION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE SOUTHWEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF A 20 FEET WIDE ALLEY AS SHOWN ON THE FINAL PLAT OF SAID FRISCO ADDITION, TO THE NORTHWEST CORNER OF LOT 9 OF SAID FRISCO ADDITION; THENCE CONTINUING SOUTHWEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF AN ALLEY AS SHOWN ON THE FINAL PLAT OF NORTH SPRINGFIELD, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, TO THE NORTHWEST CORNER OF LOT 21 OF BLOCK 26 OF SAID PLAT OF NORTH SPRINGFIELD; THENCE SOUTHWEST, ALONG A LINE DRAWN FROM SAID NORTHWEST CORNER OF LOT 21 TO THE NORTHEAST CORNER OF LOT 32 OF BLOCK 27 OF SAID PLAT OF NORTH SPRINGFIELD, TO THE POINT OF INTERSECTION WITH THE CENTERLINE OF WASHINGTON AVENUE; THENCE NORTH, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN-SANTA FE RAILROAD; THENCE NORTHEASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, TO A POINT 587.89 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 12; THENCE SOUTH TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COMMERCIAL STREET, 597.86 FEET EAST OF SAID WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF CLAY AVENUE; THENCE SOUTH, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING. CONTAINING A TOTAL OF APPROXIMATELY 19.5 ACRES.

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Street System Report

Attachment 3, Drainage Report

Attachment 4, Neighborhood Meeting Summary

ATTACHMENT 1  
BACKGROUND REPORT  
ZONING CASE Z-06-2010

DATE: January 20, 2010

LOCATION: Commercial Street generally bounded by BNSF Railway to the north, N. Clay Street and Ozark Streets to the east, Commercial Street and Pacific Street to the south, and just west of Grant Street to the west.

APPLICANT: City of Springfield, Missouri

TRACT SIZE: 53.5 acres.

EXISTING USE: Center City, Highway Commercial and Heavy Manufacturing uses

PROPOSED USE: Uses proposed and supported by the *Commercial Street Strategy for Success*, and the Tax Increment Financing Redevelopment Plan.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HM	Railroad
East	HM, HC	Lumber Company and General Retail and repair shops
South	CC	General Retail, Office and Multi-family residential
West	HC	General Retail facilities

COMPREHENSIVE PLAN:

The proposed rezoning is consistent with recommendations made by the Commercial Street Administrative Delay Task Force. The proposed zoning proposes uses as outlined in the *Commercial Street Strategy for Success* and the *Tax Increment Financing Redevelopment Plan*. The revitalization of Commercial Street is identified in the Comprehensive Plan as a priority. The plan calls for the redevelopment of Commercial Street as a destination location with a unique sense of purpose.

ADJACENT PROPERTY OWNER COMMENTS:

One-hundred-forty (140) property owners are within 185 feet of this site and have been notified of this action. No one has objected to date.

## NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on Thursday, January 14, 2010. The applicant's summary is in Attachment 4.

## STAFF COMMENTS:

1. The City Council adopted a resolution on May 4, 2009, establishing a 365 day administrative delay in new construction activity to determine how new construction should be integrated within the Commercial Street area. The Council further named a 16 member task force, to study the issue, hear testimony, and make recommendations to the City Council. The task force held 13 public meetings and also conducted a public forum to receive citizen input.
2. The task force made the following recommendations that were unanimously accepted by the City Council on January 11, 2010.
  - a. Re-assign the COP officer to the Commercial Street District as soon as possible.
  - b. The City of Springfield must continue to support the Commercial Street Strategy for Success.
  - c. The City should create a special zoning district and enforce existing ordinances with regard to social service providers.
  - d. The proposed Commercial Street Zoning District should encourage uses supportive of the Strategy for Success and Tax Increment Financing Redevelopment Plan.
  - e. The new zoning district boundaries should match the boundaries of the TIF District.
  - f. Large scale developments exceeding 10,000 square feet within the Commercial Street Zoning District should have a special review process, to reflect impacts, and require the issuance of a conditional use permit.
  - g. Define hostels as temporary lodging to include hotels, motels, and inns, and make temporary lodging uses a conditional use in the proposed Commercial Street District.
  - h. A separate task force should be created to study the overall issue of homeless and recommend an action plan.
3. The Commercial Street Administrative Delay Task Force, in the formulation their recommendations, emphasized the importance of creating of a special zoning district recognizing Commercial Street as a unique area in terms of historical and architectural significance, yet fragile and in need of protection balancing uses in the revitalization efforts.
4. The task force also noted that proposed permitted uses in the Commercial Street Zoning District should be uses as proposed in the *Commercial Street Strategy for Success*. The proposed ordinance promotes "active" uses on the first floor front layer of buildings that have street frontage. Most of the proposed uses are similar to those included in CC-Center City zoning. The first layer is further described as the area that has street frontage and the first 50 feet of depth into the structure. The second layer is the remainder of the



first floor and the remaining floors above proposes residential and other “less active” uses.

5. Projects in excess of 10,000 square feet would require a Conditional Use Permit. The conditional use permit process is relevant because it would gauge the impact of the proposed project with regard to parking and other public infrastructure, existing business, and how the proposed project would integrate with the existing historical and architectural ambience.
6. The proposed ordinance establishes two zones. Zone One proposes design guidelines that will integrate new construction with the existing historical element. No design guidelines are proposed for Zone 2 as no historical contributing structures exist. This is accomplished by implementing the following building characteristics:
  - Building Facades. All sides of buildings visible to the public, whether viewed from the public right of way or nearby property, shall display a similar level of quality and architectural finish. Two or more of the following design elements must be included for each forty (40) horizontal feet of building façade or wall:
    - a. Changes in color, texture or material.
    - b. Projections, recesses and reveals expressing structural bays, entrances or other aspects of the architecture.
    - c. Grouping of windows or fenestration.
    - d. The building must be built back to the district setback line
    - e. The setback line may include jogs of not more than 18 inches to allow for bay windows, shop fronts and balconies.
    - f. Blank lengths of wall exceeding twenty (20) linear feet or prohibited.
    - g. Fenestration on the upper floors shall comprise at least forty (40) per cent, but not more than ninety (90) per cent of the façade area.
    - h. Fenestration on the first floor shall be at least twenty (20) per cent of the façade area, but not more than sixty (60) per cent of the façade area.
    - i. The ground floor shall have at least 12 feet of clear interior height for a minimum building depth of at least twenty-five (25) feet.
    - j. The maximum story height for the ground floor is twenty (20) feet.
    - k. The maximum story height for stories other than the ground floor is twelve (12) feet.
  - Building Materials and Covers
    - a. Metal shall not be used as a primary building cover. Metal trim can be used but not to exceed ten (10) per cent.
    - b. The following exterior finishes shall be allowed on all exterior walls of the building:
      - Customary brick masonry
      - Natural or cast stone

- Oversized brick
  - Split-faced block
  - Architectural pre-cast concrete
  - Accent materials such as glass block and ceramic tiles
  - c. Façade colors shall have low reflectance. High intensity, metallic, black or fluorescent colors are prohibited.
  - d. The use of galvanized chain link fencing shall be prohibited. The use of vinyl coated chain link fencing shall be allowed in green, black and brown. No fencing shall be allowed in the front yard of the building.
7. To accommodate the use of layers it is proposed that Section 2-1100 of the Zoning Ordinance be amended to include a definition of “layer” as follows:  
**Layer:** a range of depth of a lot within certain elements are permitted.

#### FINDINGS FOR STAFF RECOMMENDATIONS:

- 4. The proposed zoning establishes a process for integrating new construction within the historical district.
- 5. The proposed zoning district support uses that are supportive of the uses and restrictions outlined in *The Commercial Street Strategy for Success* and Comprehensive Development Plan.
- 6. The proposed district establishes a Conditional Use process for large projects and structures, and uses that might impact other businesses and the ambience of the Commercial Street area.

#### FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

None

#### RECOMMENDATION:

The request be **approved**.

#### STAFF CONTACT PERSON:

Mike MacPherson  
Principal Planner

#### EXHIBITS:

Exhibit A, Legal Description  
Exhibit B, Record of Proceedings  
Exhibit C, COM- Commercial Street Boundary, Zone, and Historic District Map  
Exhibit D, COM-Commercial Street Zoning District, Draft

ATTACHMENT 2  
STREET SYSTEM REPORT  
ZONING CASE Z-06-2010

TRAFFIC ENGINEER:

This request is acceptable to the City Traffic Engineer.

ATTACHMENT 3  
DRAINAGE REPORT  
ZONING CASE Z-06-2910

Must meet storm water design criteria requirements.

PROPOSED COMMERCIAL STREET ZONING DISTRICT

NEIGHBORHOOD MEETING

MID-TOWN LIBRARY

WEDNESDAY JANUARY 14, 2010

5:30 TO 6:30 PM

INTRODUCTION AND BACKGROUND

The City Council adopted a resolution on May 4, 2009, establishing a 365 day administrative delay in new construction activity to determine how new construction should be integrated within the Commercial Street area. The Council further named a 16 member task force, to study the issue, hear testimony, and make recommendations to the City Council. The task force held 13 public meetings and also conducted a public forum to receive citizen input. Based upon the meetings and the public forums the task force made the following recommendations to the City Council.

1. Re-assign the COP officer to the Commercial Street District as soon as possible.
2. The City of Springfield must continue to support the Commercial Street Strategy for Success.
3. The City should create a special zoning district and enforce existing ordinances with regard to social service providers.
4. The proposed Commercial Street Zoning District should encourage uses supportive of the Strategy for Success and Tax Increment Financing Redevelopment Plan.
5. The new zoning district boundaries should match the boundaries of the TIF District.
6. Large scale developments exceeding 10,000 square feet within the Commercial Street Zoning District should have a special review process, to reflect impacts, and require the issuance of a conditional use permit.

7. Define hostels as temporary lodging to include hotels, motels, and inns, and make temporary lodging uses a conditional use in the proposed Commercial Street District.
8. A separate task force should be created to study the overall issue of homeless and recommend an action plan.

Commercial Street is very unique in the sense there is no other location in the City like it in terms of historical and architectural significance. If the Commercial Street Zoning District is created most of the permitted uses will stay the same since the proposed district is drafted after Center City uses. One objective is to develop design guidelines that will integrate new construction with the ambience of the historic district. A second objective is to encourage uses that are, and discourage uses that are not supported by the Strategy for Success and the Tax Increment Financing Redevelopment Plan. The key issue, therefore, is to provide a balance in guidelines that will promote growth yet preserve the ambience of the Street as opposed to allowing any type of new construction with no consistency of height, street presence, material use, etc. The ultimate goal is to develop the street as a destination location with a unique sense of purpose and presence, which is active and vibrantly revitalized.